

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of JABREL D. MOORE, Minor.

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PEOPLE OF THE STATE OF MICHIGAN,

Petitioner-Appellee,

v

JABREL D. MOORE,

Respondent-Appellant.

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UNPUBLISHED

February 22, 2011

No. 298640

Wayne Circuit Court

Family Division

LC No. 2007-469202-DL

Before: BORRELLO, P.J., and JANSEN and FORT HOOD, JJ.

PER CURIAM.

Following a bench trial, respondent, a juvenile, was adjudicated responsible for second-degree home invasion, MCL 750.110a(3), and malicious destruction of a building less than \$200, MCL 750.380(5). He was sentenced to probation. He appeals as of right and we affirm. This appeal has been decided without oral argument. MCR 7.214(E).

Respondent raises two issues on appeal challenging the sufficiency of the evidence in support of his adjudications. In evaluating a challenge to the sufficiency of the evidence in a bench trial, we review the evidence in a light most favorable to the prosecution to determine whether any rational trier of fact could have found that the essential elements of the offense were proven beyond a reasonable doubt. *People v Robinson*, 475 Mich 1, 5; 715 NW2d 44 (2006).

We disagree with respondent's argument that there was insufficient evidence to identify him as one of the perpetrators. Officer Moran identified respondent as the person he saw "jumping out of the window" of the complainant's house. This testimony was sufficient to establish respondent's identity. The credibility of Officer Moran's identification testimony was for the trier of fact to resolve, and this Court will not resolve it anew. *People v Davis*, 241 Mich App 697, 700; 617 NW2d 381 (2000).

Respondent also argues that the evidence was insufficient to support his adjudication for malicious destruction of a building less than \$200 because, although there was evidence that a window was broken, no evidence was presented as to the value of the damaged property.

In general, the amount of damage caused by a defendant may be established by showing either the difference in the property's fair market value or the reasonable cost to repair the damage or replace the property destroyed. See *People v LaBelle*, 231 Mich App 37, 38; 585 NW2d 756 (1998). As respondent correctly observes, there was testimony in this case that the back bedroom window was "completely broken out," but no testimony was presented concerning the value of the damaged window. Respondent also correctly observes that he was found to have committed an offense that has different degrees of culpability based on the value of the property damaged. Because there was sufficient evidence that property of an unspecified value was damaged, and respondent was found to have committed the least serious offense in the class of offenses (malicious destruction of a building less than \$200), respondent is not entitled to appellate relief. See *People v Mass*, 464 Mich 615, 631; 628 NW2d 540 (2001) (noting that a person who conspires to deliver an unspecified amount of cocaine may be found guilty of conspiring to deliver less than 50 grams of cocaine). It necessarily follows that one who has committed the offense of malicious destruction of a building in an unspecified amount has, at a minimum, caused destruction valued at less than \$200. See *id.*

Affirmed.

/s/ Stephen L. Borrello  
/s/ Kathleen Jansen  
/s/ Karen M. Fort Hood